

GOVERNMENT

SIKKIM



GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Saturday 27th September, 2014

No. 397

**GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK**

No.160/LD/14

Dated:- 29/8/2014

NOTIFICATION

In supersession of Notification No. 63/LD/2010 dated the 07.05.2010 and Notification No. 42/LD/11 dated: 29/04/2011, the Governor of Sikkim is hereby pleased to lay down the following terms and conditions of the Advocate General of Sikkim, namely:-

1. The terms and conditions of the Advocate General shall be as under namely:-

The duties of the Advocate General shall be,-

- (a) to advise the State Government, upon such legal matters as may be referred to him by the State Government;
- (b) to represent the State Government in the Supreme Court of India;
- (c) to represent the State Government in the High Court in proceedings of importance, civil or criminal, original or appellate when specifically requested to do so by the State Government;
- (d) to assist the High Court in cases of special importance;
- (e) to appear in any other Courts/Tribunals, when requested by the State Government on account of the importance of the case;
- (f) to discharge the functions conferred upon him under any other Law for the time being in force.

2. The Advocate General shall always be assisted in a case by a Government Advocate.

3. The Advocate General shall not accept private briefs which may be adverse to the interests of the State Government.

4. The Advocate General shall be paid a monthly retainer fee of Rs. 10,000/-.

5. The Advocate General shall be provided with a free transport with 150 litres of POL/HSD per month.
6. The Advocate General shall be provided with an official residence.
7. The Advocate General shall be provided with telephone facility at his residence and office at par with the Heads of Department of the State Government.
8. The Advocate General shall be entitled to TA/DA, leave and medical facilities as are admissible to Group 'A' Officers under the relevant rules of the State Government.
9. The Advocate General shall be provided with office accommodation and such other staff as the Government may provide from time to time.
10. The Advocate General shall be paid a lump sum fee of Rs. 80,000/- per month and Rs. 40,000/- per month as office expenses for maintaining the office at New Delhi.
11. For the cases in the Supreme Court involving the State of Sikkim, Delhi shall be the official Head Quarter of the Advocate General and for the cases before the High Court of Sikkim and connected legal matters, his Head Quarter shall be Gangtok. For the purposes of traveling between Delhi and Gangtok, he shall be entitled to travel by air both the ways. He shall also be entitled to other expenses namely conveyance etc. to and from the airport as per existing norms.
12. If any doubt arises regarding interpretation of this Notification, the Law Department with the approval of the Minister-in-charge of the Department shall interpret and decide the matter.

By order and in the name of the Governor.

**R.K. Purkayastha,
Advisor-cum-Principal Secretary,
Law & Parliamentary Affairs Department.**